APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR		ATTORNEY DOCKET NO.
09/353,896	07/16/99	ESTES	A	10246/004001

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EXAMINER
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ART UNIT	PAPER NUMBER
2765	7

DATE MAILED:
09/27/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

		Application No.	Applicant(s)
Office Action Summary		09/353,896	Estes et al
		Examiner	Group Art Unit
		Geoffrey Akers	2765

☒ Responsive to communication(s) filed on _Jul 16, 1999_

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters,   **prosecution as to the merits is closed** in accordance with the practice under _Ex parte Quayle_ 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire _____3_____ month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) _1-16_ _____ is/are pending in the applicat

    Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) _1-16_ _____ is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☒ The drawing(s) filed on _____Jul 16, 1999_____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

    ☐ All ☐ Some* ☒ None   of the CERTIFIED copies of the priority documents have been

      ☐ received.

      ☐ received in Application No. (Series Code/Serial Number) _____ .

      ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    *Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____6_____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- *SEE OFFICE ACTION ON THE FOLLOWING PAGES* ---

U. S. Patent and Trademark Office
PTO-326 (Rev. 9-95)   Office Action Summary   Part of Paper No. ___7___

DETAILED ACTION

1. Claims 1-16 have been examined.

Drawings

2.   The drawings are objected to because the margins are not acceptable on the top sand the

left and ther numbers and letters have a minimum height as defined by drafting standards..

Correction is required.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of 35 U.S.C. 102 which forms the basis for all obviousness

rejections set forth in this Office action:

> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4.   Claims 1-16 are rejected under 35 USC 102(e) as anticipated by Gifford et al(US Pat.

No: 6,049,785)

5.   As per claim 1 Gifford teaches a machine-based method comprising analyzing an e-

mail message to derive response information concerning a commercial transaction(col 5 lines 51-

62)(Fig 6/19/20/21/23/25)(col 7 lines 5-12), and based on the derived information, and

automatically generating commercial transaction data in a format that is usable to automatically

complete the commercial transaction.

6.   As per claim 2 Gifford teaches the method of claim 1 in which the commercial

transaction comprises an order for a product or service(col 4 line 46-55).

7.   As per claim 3 Gifford teaches the method of claim 1 in which the e-mail message

comprises at least part of an e-mail sent to a customer and responses of the customer to the e-

mail(col 6 line 66-col 7 line 12).

8.   As per claim 4, Gifford teaches the method of claim 1 in which the automatic

completion of the commercial transaction comprises order fulfillment(Fig 3/5-6-7)(col 5 lines

27-32).

9.   As per claim 5 Gifford teaches a machine-based method comprising sending an e-

mail message to a customer offering a product or service for sale(col 7 lines 5-12), the e-mail

message comprising locations for response by the customer indicating his intention to order the

product or service(Fig 3/5-6-7)(col 5 lines 27-29),receiving from the customer an e-mail message

that includes the response, based on the received e-mail, automatically generating order

information in a format usable automatically by an order fulfillment system to cause the order to

be filled(Fig 4/15)(col 5 lines 34-47)(Fig 5/18).

10.   As per claim 6, Gifford teaches a machine-based method comprising analyzing an e-

mail message to derive response information concerning a commercial transaction(col 6 line 32-

col 7 line 12)(Fig 7/33-38), automatically identifying response information which requires

resolution of an issue with the source of the email message, and automatically managing an e-mail dialog with the source to resolve the issue(col 6 lines 52-65).

11.   As per claim 7, Gifford teaches the method of claim 6 in which at least some of the e-mail dialog is performed automatically(col 6 lines 32-46)(Fig 7/33/34/35).

12.   As per claim 8 Gifford teaches software guided interactive e-mail dialogs to resolve, on behalf of a vendor, customer issues that occur in direct response e-mails that are automatically identified as requiring a dialog(col 5 lines 32-47)(Fig 4/8/9/10/11/12/13/14)(Fig 7/33/34/35)(col 8 lines 32-50).

13.   As per claim 9 Gifford teaches a machine-based method comprising automatically sorting e-mail messages, based on response information contained in the messages, into e-mail messages that can be processed automatically to generate commercial transactions(Fig 4/15)(col 7 lines 5-12), e-mail messages in which the response information is inadequate to permit generation of commercial transactions(Fig 4/14/8/9/10/11/12/13)(Fig 7/33/34/35), and e-mail messages that may be subjected to exception handling to yield information that is sufficient to generate commercial transactions(Fig 4/17)(col 7 lines 5-12).

14.   As per claim 10, Gifford teaches a machine-based method comprising analyzing an e-mail message to derive response information concerning a commercial transaction(Fig 1/68/64/66/67/62/200), and automatically generating a confirmatory e-mail message to the source of the e-mail message confirming that the commercial transaction has been or will be completed(col 5 lines 51-62)(Fig 6/19-31)(col 7 lines 5-12).

15.   As per claim 11 Gifford teaches a machine-based method comprising receiving

inbound e-mail messages that result from corresponding outbound e-mail messages associated

with a marketing program(col 4 lines 46-66), the inbound messages containing response

information, each of the outbound messages being associated with a distinct piece of the

marketing program(col 5 lines 21-27)(Fig 3), and automatically associating the response

information in each of the inbound messages with the corresponding distinct piece of the

marketing program(Fig 3/5/6/7)(col 5 lines 24-27).

16.   As per claim 12 Gifford teaches the method of claim 11 in which the piece comprises

a marketing campaign or a marketing flight(col 4 lines 55-59)(Fig 1/65/66).

17.   As per claim 13 Gifford teaches the method of claim 11 in which the inbound

messages contain information that links them to the corresponding outbound messages, and the

associating step uses the link information(col 5 lines 21-32)(Fig 3/3/5/6/7)(Fig 2/1/2/3).

18.   As per claim 14 Gifford teaches the method of claim 13 further comprising

automatically parsing the inbound messages for order information(col 5 line 24-col 6 line 5)(Fig

6/19/20/21/22/23/24/25)(col 6 line 32-65).

19.   As per claim 15 Gifford teaches a machine-based method comprising sending

outbound e-mail messages associated with commercial transactions(Fig 6/29)(Fig 5/18)(col 6

line 52-col 7 line 12), storing information related to each of the outbound messages in a database,

the information being useful for completing the commercial transactions(col 6 lines 14-32), the

information not being contained in the outbound messages, analyzing inbound e-mail messages

that result from the outbound messages and that contain response information useful in completing the commercial transactions(col 5 lines 51-62)(Fig 6/19/20), and automatically merging the response information with corresponding information in the database for use in completing the transactions(Fig 6/21/22/23).

20. As per claim 16 Gifford teaches a machine-based method comprising sending outbound e-mail messages associated with commercial transactions(col 6 lines 33-col 7 line 12), storing information related to each of the outbound messages in a database(col 6 lines 40-44), the information being useful for completing the commercial transactions, the information not being contained in the outbound messages(col 6 lines 33-37)(Fig 3/5/6/7), analyzing inbound e-mail messages that result from the outbound messages and that contain response information useful in completing the commercial transactions(Fig 1/68/64/66/67/62/200), identifying inbound e-mail messages that cannot be processed automatically to generate the commercial transactions(Fig 4/14/8/9/10/11/12/13), and using the database information to assist in exception handling of the identified inbound messages(col 6 line 32-65)(Fig 4/17)

Conclusion

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure

-Allsop teaches performing electronic commerce on the internet providing links from manufacturers to dealers

-Perkowski teaches a system for delivering consumer products information to consumers within retail environments

-Chou teaches a method for accommodating electronic commerce in a market

-Speicher teaches an internet audiotext electronic advertising system

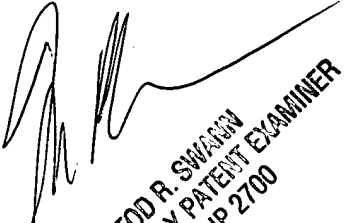-Wiecha teaches a system for ordering items over computer networks

-Adler teaches a system for schedulingdelivery of advertizing in a communications network

-Simon teaches a system for exchange of time-independent information goods

Any questions regardingthis communication should be addressed to the examiner, Dr. Geoffrey Akers, who can be reached at (703)-306-5844 between the hours of 6:30 AM and 5:00 PM Monday through Thursday. If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Tod Swann may be contacted at (703)-308-7791.

GRA

August 19,2000

TOD R. SWANN
SUPERVISORY PATENT EXAMINER
GROUP 2700